

EXHIBIT C

PINOLEVILLE POMO NATION, et al. vs. UKIAH AUTO DISMANTLERS, et al.
Deposition of PMK--Pinoleville Pomo Nation Environmental Association
April 7, 2008

<p>1 (Defendants' Exhibit No. 1 was 2 marked for identification.)</p> <p>3</p> <p>4 MR. HERB: The first thing we have to do, before 5 we swear the witness, is the court reporter is required to 6 record the name of everybody who is present. So if we 7 could go around the room and identify ourselves so that we 8 can put it on the record.</p> <p>9 MR. NEARY: Starting with me, I'm Christopher 10 Neary, appearing for Ukiah Auto Dismantlers and Wayne Hunt.</p> <p>11 MR. HERB: And I'm Hans Herb; I'm here on behalf 12 of Rick Mayfield.</p> <p>13 DAVID EDMUNDS: David Edmunds, Environmental 14 Director of Pinoleville Pomo Nation.</p> <p>15 GEORGE PROVENCHER: George Provencher, Director of 16 Tribal Operations.</p> <p>17 LEONA WILLIAMS: Leona Williams, Tribal 18 Chairperson of Pinoleville Pomo Nation.</p> <p>19 ALICIA WEBB: Alicia Webb, Environmental 20 Association.</p> <p>21 RYAN MAYFIELD: Ryan Mayfield.</p> <p>22 MR. BIGGS: Michael Biggs, attorney for 23 plaintiffs, et al.</p> <p>24 WAYNE HUNT: Wayne Hunt.</p> <p>25 MARCY BARRY: Marcy Barry.</p> <p align="right">61</p>	<p>1 asking for the most knowledgeable person to appear here for 2 the Association.</p> <p>3 Have you reviewed the Notice of Taking a 4 Deposition?</p> <p>5 A. What's that?</p> <p>6 Q. I'm going to show you what we've marked as 7 Defendants' Exhibit No. 1, which is the Notice of Taking of 8 Deposition.</p> <p>9 Have you seen that document before?</p> <p>10 A. No.</p> <p>11 MR. BIGGS: By the way, if I may jump in. Could 12 you please speak in a very loud voice.</p> <p>13 THE WITNESS: Okay.</p> <p>14 MR. BIGGS: Because this is the Certified 15 Shorthand Reporter and she has to take down every word you 16 say and she has to hear you precisely.</p> <p>17 THE WITNESS: Okay.</p> <p>18 MR. BIGGS: Thank you.</p> <p>19 Thank you, Mr. Herb.</p> <p>20 THE WITNESS: No, I've never seen it.</p> <p>21 BY MR. HERB:</p> <p>22 Q. You understand you're here because there's a 23 lawsuit filed by an association that you're a part of?</p> <p>24 A. Yes.</p> <p>25 Q. Have you read the lawsuit?</p> <p align="right">63</p>
<p>1 MR. HERB: I'm sorry, but we have to have the --</p> <p>2 ALICIA WEBB: Okay. Hannah Webb; H-a-n-n-a-h.</p> <p>3 MR. NEARY: What's her age?</p> <p>4 ALICIA WEBB: Six.</p> <p>5 MR. NEARY: Hi, Hannah.</p> <p>6 ALICIA WEBB: And Haley, H-a-l-e-y. She's two and 7 a half.</p> <p>8 MR. NEARY: Haley. You're the one we're going to 9 want to question.</p> <p>10 MR. HERB: Okay. I guess we're ready to swear the 11 witness.</p> <p>12</p> <p>13 <u>ALICIA WEBB,</u> 14 having been first duly sworn, was 15 examined and testified as follows:</p> <p>16</p> <p>17 <u>EXAMINATION</u></p> <p>18 BY MR. HERB:</p> <p>19 Q. Could you state your name, please.</p> <p>20 A. Alicia Webb.</p> <p>21 Q. Ms. Webb, have you ever had your deposition taken 22 before?</p> <p>23 A. No.</p> <p>24 Q. You are appearing in this case pursuant to a 25 Notice of Deposition that I filed on behalf of my client</p> <p align="right">62</p>	<p>1 A. Yes.</p> <p>2 Q. Is there anything that's contained in the papers 3 that have been filed for the lawsuit that's inaccurate or 4 incorrect?</p> <p>5 A. That is inaccurate or -- what did you say?</p> <p>6 Q. Inaccurate or incorrect.</p> <p>7 A. Not that I'm aware of.</p> <p>8 Q. So everything in the Complaint that your 9 association has filed is true?</p> <p>10 A. Yes.</p> <p>11 Q. Before I get to the specific allegations, what I'd 12 like to do is take a few minutes to go over the ground 13 rules of this deposition with you and then to go over a 14 little of your background so we can understand your ability 15 to give us testimony here today.</p> <p>16 What is your age?</p> <p>17 A. Thirty-one.</p> <p>18 Q. What is your educational background, beginning 19 with high school?</p> <p>20 A. A graduate from high school, graduate of two-year 21 college.</p> <p>22 Q. Which two-year college?</p> <p>23 A. Western Institute of Science and Health, in 24 Rohnert Park.</p> <p>25 Q. When was that?</p> <p align="right">64</p>

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<p>1 A. I graduated -- I believe it's '98.</p> <p>2 Q. Have you been to any other schools?</p> <p>3 A. Just Santa Rosa J.C., for a semester.</p> <p>4 Q. So other than high school and the schools you've</p> <p>5 referred to, you haven't been to any other special</p> <p>6 training?</p> <p>7 A. No.</p> <p>8 Q. Have you ever been employed?</p> <p>9 A. Yes.</p> <p>10 Q. Where was your employment, starting from your</p> <p>11 first employment?</p> <p>12 A. Let's see. High school, I worked for Healdsburg</p> <p>13 Physical Therapy as an aide. And then, after high</p> <p>14 school -- because I did that through high school -- I also</p> <p>15 worked as a bellhop at Madrona Manor for a short period.</p> <p>16 And then I worked after high school for Sanderson Ford just</p> <p>17 shortly. I worked at the Healdsburg Animal Shelter. And</p> <p>18 that's it.</p> <p>19 Q. Have you ever worked for the Pinoleville Tribe</p> <p>20 before?</p> <p>21 A. Not worked. Just volunteer or....</p> <p>22 Q. Okay. So other than the jobs you've described, is</p> <p>23 there anywhere else that you've worked?</p> <p>24 A. And, you know, also when I graduated college, I</p> <p>25 started my own business of home care for seniors so I was</p> <p align="right">65</p>	<p>1 Q. Well, if you haven't had your deposition taken</p> <p>2 before, let me just tell you a little bit about the</p> <p>3 process. We're all here in a conference room in</p> <p>4 Mr. Neary's office, but the testimony you're giving today</p> <p>5 is the same as if you were giving it in court.</p> <p>6 There's no judge here to rule on any kind of</p> <p>7 motions or objections, so what we'll do is, if there's</p> <p>8 something that's disagreeable, one or more of these lawyers</p> <p>9 may impose an objection, say, "I object to that." But</p> <p>10 since there's no one here to answer the objection, what</p> <p>11 will happen is then you'll answer the question and later</p> <p>12 on, if the judge rules that the objection should be</p> <p>13 sustained, then the testimony will be stricken.</p> <p>14 A. Uh-huh.</p> <p>15 Q. Our purpose in taking the deposition today is to</p> <p>16 try to find out information regarding the lawsuit that</p> <p>17 you've filed against my client.</p> <p>18 A. Uh-huh.</p> <p>19 Q. I am going to ask you questions and, when you</p> <p>20 respond, as you just did by an "Uh-huh" or an "Huh-uh" --</p> <p>21 A. Uh-huh.</p> <p>22 Q. -- it's hard for the court reporter to take that</p> <p>23 down, so I'm going to ask, if possible --</p> <p>24 A. Okay.</p> <p>25 Q. -- that you complete -- wait until I complete my</p> <p align="right">67</p>
<p>1 self-employed.</p> <p>2 Q. Do you have any licenses other than a driver's</p> <p>3 license?</p> <p>4 A. No. Business license.</p> <p>5 Q. What kind of business license?</p> <p>6 A. Just for what I -- my home care for seniors.</p> <p>7 Q. And is that your current occupation?</p> <p>8 A. No; I'm a homemaker now.</p> <p>9 Q. And I guess these are your children that are here?</p> <p>10 A. Yes.</p> <p>11 Q. Is that all of them or is there more?</p> <p>12 A. No; that's it.</p> <p>13 Q. Okay. Where do you live?</p> <p>14 A. Cloverdale, California.</p> <p>15 Q. Where else have you lived?</p> <p>16 A. I grew up in Healdsburg. Born in Ukiah, I grew up</p> <p>17 in Healdsburg, and now I live in Cloverdale.</p> <p>18 Q. Where in Ukiah did you live?</p> <p>19 A. North State -- north end of Ukiah. I don't</p> <p>20 remember my address. North State Street, I think it was.</p> <p>21 Q. When was that?</p> <p>22 A. I was born here; I believe we moved to Healdsburg</p> <p>23 when I was in the third grade.</p> <p>24 Q. Did you ever live in the Pinoleville reservation?</p> <p>25 A. No.</p> <p align="right">66</p>	<p>1 question and then answer outward affirmatively.</p> <p>2 A. Okay.</p> <p>3 Q. Sometimes it's hard to get used to it, but just</p> <p>4 imagine if someone is writing down everything we're saying,</p> <p>5 which is what's happening; if we're both talking at the</p> <p>6 same time, it's hard to get that recorded.</p> <p>7 Also, it's natural for people to anticipate what</p> <p>8 someone is saying and want to finish their statement and</p> <p>9 answer the question, but that creates a problem not only</p> <p>10 for the record but can create a miscommunication as to what</p> <p>11 my question is.</p> <p>12 So what I'd like you to do is wait until I ask a</p> <p>13 question, find out what the answer to that question is and</p> <p>14 then respond to that question, like I said, out loud.</p> <p>15 And if you don't understand something I said, just</p> <p>16 ask me to repeat or rephrase the question.</p> <p>17 A. Okay.</p> <p>18 Q. When did you first have any contact or</p> <p>19 communication with the Pinoleville Pomo Nation</p> <p>20 Environmental Association?</p> <p>21 A. When I was asked to be on the board. June, I</p> <p>22 believe, of '06.</p> <p>23 Q. Who asked you to be on the board?</p> <p>24 A. My dad asked if I wanted to be on the board with</p> <p>25 him.</p> <p align="right">68</p>

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1 Q. And who is your father?
 2 A. **Don Williams.**
 3 Q. And is Don Williams also known as --
 4 A. **Don Smith Williams.**
 5 Q. Yes. And is Don Williams related to Leona
 6 Williams?
 7 A. **Yes.**
 8 Q. What is the relationship?
 9 A. **Brother, sister.**
 10 Q. So you're Chairperson Williams' brother's
 11 daughter?
 12 A. **Yes.**
 13 Q. Do you have any other brothers or sisters?
 14 A. **Yes.**
 15 Q. What are their names?
 16 A. **Donna Williams, Carrie Williams, Joseph Williams,**
 17 **Sheryl Dominguez and Theresa Williams.**
 18 Q. Do you know if they're members of the Association,
 19 too?
 20 A. **No.**
 21 Q. No, they're not?
 22 A. **They are not, no.**
 23 Q. And when your father asked you to be a member of
 24 the Association, what did he say?
 25 A. **He just said do I want to be involved with the**

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1 **tribe, and I said, "Yes." And he said, you know, "We're**
 2 **starting an environmental board, committee, do you want to**
 3 **be on it with me," and I said, "Yes."**
 4 Q. And did he ask you if there was any -- or did you
 5 ask him or was there any discussion about any
 6 qualifications for being on the board?
 7 A. **No.**
 8 Q. You said this was in '06?
 9 A. **Yes, I believe so.**
 10 Q. Did he mention the formation of the Association in
 11 conjunction with any other event or any other cause that
 12 the Association was being formed for?
 13 A. **No.**
 14 Q. How long was your conversation with him about the
 15 Association, your first conversation?
 16 A. **Probably as long as it took to ask the question**
 17 **and I said, "Yes."**
 18 Q. What was the next thing that happened?
 19 A. **I don't know. Probably just regular conversation.**
 20 Q. Not the next thing that happened in your
 21 conversation, the next thing that happened related to the
 22 Association.
 23 A. **I don't know. I don't remember.**
 24 Q. So --
 25 A. **I guess rephrase what you mean.**

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1 Q. Okay. So you agreed to become a member of the
 2 Association?
 3 A. **Yes, yes.**
 4 Q. And then what did you have to do to be a member of
 5 the Association?
 6 A. **Nothing. Just come to our first meeting and....**
 7 Q. When was the first meeting?
 8 A. **I believe it was in June.**
 9 Q. Of '06?
 10 A. **Yeah. The month he asked me, I believe that's**
 11 **when it was.**
 12 Q. Where was the meeting?
 13 A. **At the tribe, the tribal office.**
 14 Q. On Pinoleville Road?
 15 A. **Yes.**
 16 Q. How many people were there?
 17 A. **Four.**
 18 Q. Who were they?
 19 A. **David Edmunds, Erica, my dad, and I.**
 20 Q. How long did the meeting last?
 21 A. **Probably about 45 minutes or so, I think.**
 22 Q. What was --
 23 A. **I think I can look at -- I think I have this in my**
 24 **minutes, if you'd like me to look.**
 25 Q. Okay. Let me ask you this, while you're looking

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1 at your notes there. Did you look at any other documents
 2 in preparation for today's deposition?
 3 A. **No.**
 4 Q. Other than your notes, those are the only ones?
 5 A. **Yes.**
 6 Q. And how many pages are those notes?
 7 A. **Just five.**
 8 Q. When were those notes made?
 9 A. **Well, we get them after every meeting, David**
 10 **Edmunds E-mails them to me and I have them on my computer**
 11 **of what we went over in our meeting.**
 12 Q. Okay. And are these documents that are going to
 13 be produced in response to our document request, do you
 14 know?
 15 A. **I don't know. They're just -- they're my personal**
 16 **notes from the meeting. I don't know. I don't know, no**
 17 **one has told me.**
 18 Q. Okay. But you're going to be relying on those
 19 notes to give your testimony?
 20 A. **No.**
 21 Q. Okay. But you looked at those notes to give your
 22 testimony.
 23 A. **No; I just brought them just for, I guess, to show**
 24 **that we actually had meetings and....**
 25 Q. Okay. So you're intending to produce those, then.

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<p>1 I'm not trying to trick you with any of these 2 questions -- 3 A. Yeah, yeah. 4 Q. -- I'm just trying to find out -- we asked for 5 documents to be produced and you're bringing documents -- 6 MR. BIGGS: Mr. Herb, you can have copies of 7 those. 8 MR. HERB: All right. 9 Q. So what was discussed at the first meeting? 10 A. Can I look, then? 11 Q. Sure. 12 A. I don't know. 13 I believe -- I know that we -- we started talking 14 about hazardous materials. David had given my dad a 15 resource book on hazardous materials handling equipment. 16 He -- my dad also gave David some contacts for 17 Hazmat training for tribal members, and David Edmunds was 18 going to follow up on that. 19 And then my dad was going to go -- was told about 20 <u>the government reimbursement funding, he wanted -- let's</u> 21 <u>see.</u> 22 And my dad, Don, just wanted David to look through 23 the catalog of Hazmat equipment, order the basics; masks, 24 gloves, boots. 25 And my dad, Don, would like to come with the</p> <p align="right">73</p>	<p>1 That's what we discussed. 2 Q. Okay. A couple of things you said. "Near our 3 reservation." Are you a member of the tribe? 4 A. Yes. 5 Q. And then was there any discussion at that point 6 about existing environmental problems on the reservation? 7 A. Yes. 8 Q. What were those discussions? 9 A. The wrecking yard right outside the offices where 10 it was brought up -- the drums, the 50-gallon drums, I 11 guess is how big it is, of hazardous material. 12 Q. What was the discussion about them? 13 A. Just that they're near our premises and, if 14 anything ever happened, we would have somebody qualified 15 to, you know, be there to help. You know, if it came 16 over -- if there was an accident, I guess, you know. 17 Q. You also mentioned the Army Corps of Engineers. 18 Is that the first time you'd ever heard of the Army Corps 19 of Engineers? 20 A. Myself, yes. 21 Q. Do you know if any members of the tribe have any 22 contact with the Army Corps of Engineers? 23 A. No, I don't know. 24 Q. In that first meeting, was there discussion about 25 prior environmental efforts by the tribe?</p> <p align="right">75</p>
<p>1 Pinoleville -- the tribe staff to walk on the creek with 2 Fish and Wildlife on August 14th and 15th. He wants to 3 move ahead with contacts with the Army Corps on funding a 4 cleanup and rehabilitation project. 5 And Don, my dad, wanted to make sure we have fire 6 extinguishers ready for electrical fires. 7 And our meeting was a half an hour. 8 Q. Just so I understand. It was you, Dr. Edmunds, 9 your father -- and who was the...? 10 A. Erica. I don't know her last name. Erica. 11 There's just a couple of Ericas, so I just know Erica by 12 her face. 13 Q. Okay. And what -- I mean, what was the -- it 14 sounds like what you were describing was a fire 15 organization. Is that what they were concerned about, was 16 fires? 17 A. No. We -- all I can kind of remember about -- I 18 know that, from what I can remember, where the freeway 19 comes along our reservation, I know that trucks with 20 hazardous material can go past, and we wanted to be able to 21 have on staff here, on-call ready if something were to 22 happen near our reservation on -- you know, on the freeway. 23 So if something were to happen -- or even on the 24 reservation itself, we would have somebody with hazardous 25 material experience on hand, on-call ready to be there.</p> <p align="right">74</p>	<p>1 A. Yes. <u>My dad and I actually -- and I can't</u> 2 <u>remember what year it was. Probably -- it was before 2000,</u> 3 <u>I know that. We met with my cousin, actually. Her name is</u> 4 <u>Chris Childress, she was studying environmental in school,</u> 5 <u>and she actually -- we walked the creek with her.</u> 6 And we were just -- we just walked the property 7 and, you know, just -- we were just -- that's kind of when 8 we kind of knew we're headed in that direction to get a 9 committee together, but it was a while ago before that. 10 Q. Now, I know the tribe got an environmental grant 11 in '97 to investigate the creek. Could that have been 12 what -- 13 A. It might have been. I don't remember what year it 14 was. It might have been. 15 Q. And was there discussion -- I know in those 16 environmental reports that the tribe said that the tribe 17 had buried a number of automobiles in the creek. 18 MR. BIGGS: Objection; it calls for a conclusion, 19 leading. 20 BY MR. HERB: 21 Q. Okay. There's no one here to answer that 22 objection, but it's on the record, so if you can answer the 23 question. 24 A. Can you say it again. 25 Q. Let me ask it a different way.</p> <p align="right">76</p>

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1 In that '97 report that was -- the grant was given
 2 for, the tribe made reference that there was -- the tribe
 3 had buried a string of automobiles in the --
 4 MR. BIGGS: Objection. Assumes facts in evidence.
 5 MR. HERB: Okay.
 6 Q. At any rate, what I'm asking is, in that first
 7 meeting of the Environmental Association in 2006, did they
 8 refer to the work that had been done in 2007 [sic], that
 9 had identified the problem that the tribe had reported in
 10 1997?
 11 MR. BIGGS: Objection; calls for hearsay as to
 12 "they." They're not here today.
 13 BY MR. HERB:
 14 Q. Okay. If you know.
 15 A. **No, not -- no. Not that I know of.**
 16 Q. So no one at the 2006 meeting said, "We already
 17 did a study in" --
 18 A. **No, no.**
 19 Q. Other than the auto dismantler and the trucks
 20 going by on the freeway, what other kinds of environmental
 21 concerns were identified?
 22 A. **In our first meeting?**
 23 Q. Yes.
 24 A. **That was all that was discussed in our first**
 25 **meeting.**

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1 Q. And then the notice that we received from your
 2 lawyer said that you were being designated to tell us about
 3 the Association's history, so I just want to make sure.
 4 That was the very first meeting of the Environmental
 5 Association?
 6 A. **Yes. In fact, it was on July of 2007.**
 7 Q. July of 2007 or 2006?
 8 A. **Seven. Actually, our first -- when we started, it**
 9 **was '06, June of '06. But our meeting on this one is July**
 10 **of '07, the one I read to you.**
 11 Q. Okay. So about three months after you filed this
 12 lawsuit against my client, you had this meeting?
 13 A. **I'm not sure when our very, very first actual**
 14 **meeting was. I just have '07 here.**
 15 Q. Okay. Well, the designation said you're the
 16 expert on the Association history, so I'm just trying to
 17 find out from you --
 18 MR. BIGGS: Objection; it doesn't say she's the
 19 expert. In fact, I had said on the record that Dr. Edmunds
 20 is the one who will give the, if you want to call it,
 21 expert testimony on the history.
 22 I think that you may want to direct questions to
 23 Dr. Edmunds, you know, for the total history. I think you
 24 may find that people have come and gone into the
 25 Association.

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1 MR. HERB: Okay. I'm going to mark this as
 2 Defendants' Exhibit 2, which is -- I'm going to represent
 3 that this document is what was provided to me at the
 4 beginning of this deposition as responsive to our earlier
 5 discussions this morning, which were discussing my Notice,
 6 and I asked for the specific people to be identified.
 7 I'll leave it to the Court to determine what the
 8 representations were. But I just want that on the record,
 9 that it was represented to me or my understanding of taking
 10 this deponent's deposition was that she was going to give
 11 me the history of the Association.
 12 (Defendants' Exhibit No. 2 was
 13 marked for identification.)
 14 BY MR. HERB:
 15 Q. Is there someone you know, Ms. Webb, that's more
 16 knowledgeable than you about the Association's history?
 17 A. **David Edmunds.**
 18 Q. And do you know how your name came to be placed on
 19 this list as being the most knowledgeable person to the
 20 Association's history?
 21 A. **No.**
 22 Q. Did you put it on there?
 23 A. **No.**
 24 Q. Did you ever represent to anyone that you were the
 25 most knowledgeable person as to the Association's history?

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1 MR. BIGGS: Objection as to definition of "most
 2 knowledgeable person."
 3 MR. HERB: Well, our Deposition Notice was for the
 4 most knowledgeable person.
 5 MR. BIGGS: We had a long conversation on the
 6 record, and I also told you that, being that it took so
 7 long to get this started, two individuals had to leave to
 8 go tend to the Head Start School. So they would have been
 9 on this list but they're not here because we started this
 10 thing at 11:00 and we never got into the substance of it
 11 until 15 minutes ago and now they had to go back to the
 12 school.
 13 MR. HERB: So --
 14 MR. BIGGS: So we had -- at one time, we had 30
 15 people outside; and, now that time has gone by, they're all
 16 gone. She's one of the few people that remains.
 17 BY MR. HERB:
 18 Q. So I guess what I'm asking is -- and maybe -- the
 19 two people that your lawyer is talking about that aren't
 20 here, they are the most knowledgeable person, then, as to
 21 the Association history. Is that right?
 22 A. **I believe David Edmunds is the most knowledgeable**
 23 **person.**
 24 Q. So do you know any reason that we couldn't get the
 25 history of the Association from someone who is here now?

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<p>1 A. Can you rephrase.</p> <p>2 Q. Is somebody gone that we would need to have here</p> <p>3 in order to get the history of the Association?</p> <p>4 A. No.</p> <p>5 Q. Is there someone more knowledgeable than</p> <p>6 Mr. Edmunds and you as to the --</p> <p>7 A. No.</p> <p>8 Q. So what I'm asking you is -- you know, at the</p> <p>9 beginning of the deposition, you told me you hadn't</p> <p>10 reviewed the Deposition Notice, and then you said your name</p> <p>11 didn't -- you didn't put your name on as the most</p> <p>12 knowledgeable person, and I'm asking if you know how your</p> <p>13 name was offered up as the most knowledgeable person --</p> <p>14 MR. BIGGS: Objection.</p> <p>15 BY MR. HERB:</p> <p>16 Q. -- regarding the Association.</p> <p>17 MR. BIGGS: There's nothing on Defendants'</p> <p>18 Exhibit 1 that indicates that she is the most knowledgeable</p> <p>19 person. You're assuming facts that aren't in evidence</p> <p>20 here.</p> <p>21 They're not here. I don't see anywhere on this</p> <p>22 where it says, "Alicia Webb."</p> <p>23 It says, "Alicia Webb -- Association History."</p> <p>24 She's telling you from the basis of her personal knowledge,</p> <p>25 which is the foundation for her to give testimony today,</p> <p align="right">81</p>	<p>1 (Witness provides notes to Mr. Neary.)</p> <p>2 MR. NEARY: Is it all right if we have these</p> <p>3 marked?</p> <p>4 MR. BIGGS: Yeah; if we could make copies and</p> <p>5 such, fine.</p> <p>6 THE REPORTER: Is it all right to mark this or</p> <p>7 would you prefer a copy be marked?</p> <p>8 MR. BIGGS: A copy marked.</p> <p>9 Oh, wait. I'm sorry. If those -- it's fine to</p> <p>10 mark those. You don't have to mark a copy. I'm just</p> <p>11 saying we just need a copy that has been marked.</p> <p>12 (Defendants' Exhibit No. 3 was</p> <p>13 marked for identification.)</p> <p>14</p> <p>15 align="center"><u>EXAMINATION</u></p> <p>16 BY MR. NEARY:</p> <p>17 Q. Hi. My name is Chris Neary, and I'm representing</p> <p>18 Ukiah Auto Dismantlers and Wayne Hunt.</p> <p>19 We've marked Exhibit 3, which you've brought here</p> <p>20 with you today. Let me understand. Was it your</p> <p>21 understanding that the meeting that you held in June of</p> <p>22 2006 was the first meeting of the Association?</p> <p>23 A. I don't remember if that was our first meeting.</p> <p>24 That's when we first agreed to start the Association. I</p> <p>25 don't remember when our exact first meeting was. That's</p> <p align="right">83</p>
<p>1 her perception of the history, which is what is in her own</p> <p>2 personal knowledge.</p> <p>3 MR. HERB: Okay.</p> <p>4 MR. BIGGS: That's what she's doing.</p> <p>5 BY MR. HERB:</p> <p>6 Q. I'm not trying to trick anyone. I'm just trying</p> <p>7 to get to the bottom of this. And that's fine. If you're</p> <p>8 going to represent to me that you're not the most</p> <p>9 knowledgeable person here today to talk about the</p> <p>10 Association history -- is that true? You're not the most</p> <p>11 knowledgeable person?</p> <p>12 A. That's true.</p> <p>13 Q. And is someone more knowledgeable than you here</p> <p>14 right now?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And so if I was to ask about the</p> <p>17 Association's history, you believe I'd be better off to</p> <p>18 talk to Dr. Edmunds. Is that correct?</p> <p>19 A. Yes.</p> <p>20 Q. Okay.</p> <p>21 I'm not sure if it makes sense for me to ask any</p> <p>22 more questions of this deponent. Do you have any</p> <p>23 questions?</p> <p>24 MR. NEARY: Yes, I have a few questions. First,</p> <p>25 May I see your notes.</p> <p align="right">82</p>	<p>1 just when we formed it; my dad asked me and I said, "Yes,"</p> <p>2 I'd be on the --</p> <p>3 Q. So it was your understanding that there had been</p> <p>4 no meetings prior to that June --</p> <p>5 A. Yes, that was my understanding.</p> <p>6 Q. Okay. And when was the next meeting after the</p> <p>7 June 2006 meeting?</p> <p>8 A. I don't remember.</p> <p>9 Q. Were minutes kept of all of the meetings?</p> <p>10 A. Yes.</p> <p>11 Q. Were minutes kept of the June 2006 meeting?</p> <p>12 A. I'm assuming so.</p> <p>13 Q. But you don't have those.</p> <p>14 A. I don't.</p> <p>15 Q. And this Exhibit 3, these are minutes that have</p> <p>16 been sent to you by David?</p> <p>17 A. David Edmunds.</p> <p>18 Q. David Edmunds. And they -- they represent all of</p> <p>19 the -- first of all, they represent all of the meetings of</p> <p>20 the Association?</p> <p>21 A. Those are not all of the meetings, I don't</p> <p>22 believe.</p> <p>23 Q. Okay. So you think there was other meetings.</p> <p>24 A. Yes.</p> <p>25 Q. Do you know when the first meeting occurred where</p> <p align="right">84</p>